



EMPLOYMENT TRIBUNALS

England & Wales

55th MEETING OF NATIONAL USER GROUP

**Minutes of the National User Group meeting
Held via Microsoft Teams on 12 March 2026**

Attendance:

Judge Barry Clarke	President of Employment Tribunals (England & Wales)
Judge Susan Walker KC (Hon)	President of Employment Tribunals (Scotland)
Judge Andrew Freer	Regional Employment Judge, London Central
Mark Lewis	ET Service Manager, HMCTS
Helen Nolan	ET Service Support Manager, HMCTS
Claire Jones	ET Jurisdiction Support Team, HMCTS
Leanna Conradson	Judicial Office; Head of President's Private Office
Richard Boyd	Department for Business and Trade
Rose Marshall	Department for Business and Trade
Amy Brown	Ministry of Justice
Josie-Leah Macgilchrist	Ministry of Justice
Matt Jackson	Tribunal Procedure Committee
Caspar Glyn KC	Employment Lawyers Association
Richard Fox	Employment Lawyers Association
Jack Mitchell	Employment Law Bar Association
Emily Weidner	Law Society (E&W) Employment Law Committee
Paman Singh	Law Society (Scotland) Employment Law Committee
Sophie McGuinness	Thomson Reuters
Sarah Watson	Lexis Nexis
Ruth Neil	Work Rights Centre
Andrei Savitski	Work Rights Centre
Emma Wilkinson	Employment Legal Advice Network
James Gilbert	Peninsula
Rachael Cassidy	Peninsula
Amar Tembe	Make UK
Andrew Wills	Croner Group Limited
Zoe Chan	Advocate
Danae Shell	Valla Ltd
Scott Gilmour	Mentor Services

Apologies:

Judge George Foxwell	Regional Employment Judge, South East England
Laura Garner	Thomson Reuters
Clare Cruise	Law Centres Network
Shantha David	UNISON

1. Welcome & Introductions

The President welcomed members to the 55th meeting of the Employment Tribunals (England & Wales) National User Group, held via Teams. The President reminded members that minutes of the previous user group meetings can be found online [here](#).

2. Employment Tribunals system update – President

2.1 People and Places

The President was pleased to confirm that the London Tribunals Centre on Newgate Street in London [had now opened](#). The London Central region of the Employment Tribunals moved in at the end of February 2026, with two other First-tier Tribunal jurisdictions (the Social Security Tribunal and the War Pensions Tribunal) following later in March 2026. The President was joining the NUG meeting from his new office in the building. REJ Andrew Freer, who had been the ET's judicial lead on the move, would be saying more about it later in the meeting. The President paid tribute to REJ Freer for his efforts in that regard. He also publicly thanked HMCTS for their support in obtaining the new building and their efforts in converting it into the flagship building for the Employment Tribunals in England and Wales.

The President confirmed the appointment of two new Regional Employment Judges with effect from 2 January 2026: [Judge Sarah-Jane Davies](#) is the new Regional Employment Judge for the North East region (based principally in Leeds) and [Judge Robert Clark](#) is the new Regional Employment Judge for the Midlands East region (based principally in Nottingham). Both had long experience of being fee paid and salaried Employment Judges, following distinguished practices at the Bar specialising in employment law, public law and civil work. The [REJ cohort](#) was therefore back to full complement as ten individuals.

The President noted that [Judge Christopher Gaskell](#), a salaried Employment Judge in Birmingham, had recently retired. [Judge David Perry](#), a salaried Employment Judge in Birmingham, has been appointed as a Circuit Judge in the Midlands Circuit; he was taking up his new appointment on 20 April 2026.

2.2 Recruitment issues – update and ongoing concerns

Members were reminded that a [Judicial Appointments Commission](#) exercise had been launched in 2025, seeking to fill 36 full-time equivalent (“FTE”) vacancies for salaried Employment Judges. There had been some vacancies in Birmingham, Norwich, Cambridge and Bury St Edmunds, and one vacancy for a Welsh-speaker in Wales. But the vacancies were overwhelmingly in the three London regions: London Central (now based at Newgate), London South (Montague Court in Croydon) and London East (Import Building in Docklands).

The President reported that, unfortunately, the exercise had fallen short. He was in the process of concluding his deployment discussions with the successful candidates. The likely finishing point would be 25.5 FTE salaried judges. The President said that he looked forward to sharing the names of the new judges in due course.

The shortfall of 10.5 FTE falls entirely in London. The President had been faced with a large number of candidates seeking deployment to the non-London locations and who were unable or unwilling to move to London. As a mitigation measure, he had persuaded many of the new candidates to accept split deployments by which they would spend at least some of their time in London.

The FTE spread delivered by the 2025 exercise (if all candidates accept the Lord Chancellor's offer) was likely to be as follows:

- London Central: 5.6 FTE, as against an original vacancy request of 10.0 FTE
- London East: 3.2 FTE, as against an original vacancy request of 5.0 FTE
- London South: 5.1 FTE, as against original vacancy request of 11.0 FTE
- SE England: 5.3 FTE (0.9 FTE in Norwich; 2.7 FTE in Cambridge; 1.7 FTE in Bury St Edmunds), as against an original vacancy request of 4.0 FTE
- Midlands (West): 5.3 FTE, as against an original vacancy request of 5.0 FTE
- Cardiff (Welsh-speaker): 1.0 FTE, as against an original vacancy request of 1.0 FTE

The overall gain of 25.5 FTE was, in reality, smaller; it needed to be set against the in-year departure of other salaried judges through promotion or retirement, or an agreed reduction in their working percentage. Following this exercise, the total number of salaried Employment Judges in England and Wales will have increased from 121.4 FTE (drawn from 138 individuals) to 146.9 FTE (drawn from 167 individuals).

Once the new judges join, the full complement of ET (E&W) judiciary by mid-2026 will be:

- Regional Employment Judges: 10 individuals, 9.9 FTE
- Salaried Employment Judges: 167 individuals, 146.9 FTE
- Fee paid Employment Judges: 313 individuals
- Non-legal members: 668 individuals

For comparison purposes, the figures on 1 April 2020 had been:

- Regional Employment Judges: 10 individuals, 10.0 FTE
- Salaried Employment Judges: 138 individuals, 123.6 FTE
- Fee paid Employment Judges: 160 individuals
- Non-legal members: 980 individuals

While the figures on 1 April 2023 had been:

- Regional Employment Judges: 10 individuals, 10.0 FTE
- Salaried Employment Judges: 159 individuals, 137.3 FTE
- Fee paid Employment Judges: 385 individuals
- Non-legal members: 853 individuals

The President wished to emphasise the trends over the last six years shown by these figures. Fee paid judges had doubled in number, but sitting days were needed to ensure that they were utilised to full capacity. The number of non-legal members had shrunk by a third, chiefly due to retirements, and required replenishment. The number of individual salaried judges had gone up, but the increase in actual FTE (especially over the last three years) was much more marginal – and to a degree that some might find surprising. This reflected two patterns: an increase in the popularity of fractional working, and a decrease in the popularity of working in London (a likely feature of the cost of living in the capital). Indeed, the effective FTE was even lower because an increasing number of salaried Employment Judges were being released to sit in other court and tribunal jurisdictions (for example, as recorders).

A further issue was the number of judges who took appointments in London with the intention of seeking a transfer to a regional location after a few years; this meant that salaried vacancies in much of England and Wales were filled by internal transfer rather than direct recruitment. While understandable, it perpetuated the shortfall of salaried judicial resource in London, making it more difficult to tackle extending waiting times in the capital.

The President said that the ET (E&W) depended upon its salaried judges to get through the workload. They delivered about three quarters of all the days that the jurisdiction was funded to sit, and were needed to tackle the high (and increasing) number of complex, multi-day hearings. The virtual region helped provide extra resource to London but, as a fee paid facility, it did not provide the “rocket fuel” needed. The marginal increase in salaried FTE over the last three years must be set against a sharp increase in ET receipts. The President said he would address this increase later in his report.

With this background in mind, [a new Judicial Appointments Commission exercise](#) had launched on 12 March 2026 (closing on 9 April 2026). It aims to fill 55 FTE vacancies for salaried Employment Judges. This number of recruits is needed to prepare the jurisdiction for the increase in work expected to accompany full implementation of the Employment Rights Act 2025. Like the exercises in 2019, 2023 and 2025, it was again open to “direct entrants” to the judiciary (i.e., those who had not previously been fee paid Employment Judges), with an additional selection criterion for employment law experience.

The President said that, for the first time since 2019, there were vacancies in almost every Employment Tribunal region (even anticipating for the impact of internal transfers). This was good news for those fee paid judges who had been waiting patiently for salaried vacancies to appear in the North and the West of England. The President said he had to bear in mind, if previous exercises were a reliable guide, that he would face a glut of candidates for vacancies in locations such as Bristol, Manchester, Leeds and Newcastle and a repeat of the chronic shortfall in London. He therefore needed to contemplate more radical measures to meet the challenge of the work in London.

He said that, before the pandemic, there were really only two options on the table: move more judges to the work in London, or move the work in London to the regions.

The first option was plainly not viable. Recruitment exercises since 2019 had repeatedly demonstrated that to be so. The [Senior Salaries Review Board was currently considering](#) how to tackle recruitment shortfalls, including the issue of London weighting, but remuneration was not in the President’s gift.

The second option would require careful thought, not least because of the access-to-justice considerations of sending two London parties to a location such as Birmingham, which had its own challenges to address. The President noted that it was already the case that individual matters might be transferred (with the parties’ agreement) from London to a regional centre to be heard more quickly in exceptional circumstances, such as when a claimant was terminally ill. But it would fail as an institutional response for several reasons:

- It would cause considerable administrative challenges. Transferred cases still required to be administered and clerked by HMCTS.
- Immense difficulties would arise in trying to decide, judicially, which of many delayed cases would merit a transfer to another region.
- Judicial time – not an abundant resource – would also be spent ensuring that the transfer did not offend the principle in [Lawal v Northern Spirit](#) if the matter came before a fee paid judge.
- Such a practice would incentivise parties in other cases to make similar requests. This would swiftly create capacity problems elsewhere in the system.
- That approach presupposed that delay was unique to London. It is not. There are delays elsewhere throughout England and Wales. Delays may be uncommon in Scotland, but Scotland is a different ET jurisdiction with adequate resources in terms of judges, staff and legal officers.

- As a matter of principle, cases should not be transferred out of London “under the radar” simply because represented parties had the nous to ask for it. That would create a disparity of service between the ET’s represented and unrepresented users. The ET seeks to provide a public service whereby each user is allocated a fair slice of limited resources, without fear or favour, regardless of professional representation.

A third option, post-pandemic option, was now available: to convert even more London work to video and have it determined by judges working out of HMCTS venues (whether ET or not) across the country. Such an approach would carry its own risks. There is the potential long-term impact on judges doing such work. It makes it more difficult to safeguard the ET’s physical estate when under pressure from other jurisdictions. Further, in-person justice is generally a superior experience to justice by video. But “needs must”: a quicker, suboptimal hearing on video was almost always going to be preferable to a longer wait for in-person justice. This was a model that had worked reasonably well in London South in two previous exercises, albeit on a more limited scale. The President said he was actively exploring the video option with HMCTS in respect of the 2026 recruitment exercise for 55 FTE judges, while bearing in mind that such a model was more suitable for experienced former fee paid judges than “direct entrants”; the latter needed to be in an ET venue to be appropriate trained, supported and mentored.

In response to a question about whether the requirement for judges working fractionally to sit in full-week blocks would be reviewed, the President confirmed that he had no plans to review this requirement. The ET’s caseload of complex “open track” discrimination and whistleblowing cases had grown significantly. These cases required full-week hearings, and often multi-week hearings. It was administratively far simpler to list cases in full-week blocks; the default position therefore remains for salaried judges to offer full-week blocks of sitting. However, the President confirmed that if a disabled judge, once in situ, required a reasonable adjustment to their working pattern, this would of course be considered.

For completeness, the President mentioned two other JAC exercises:

- The next exercise to recruit fee paid Employment Judges has been deferred to early 2027, to facilitate prioritisation of recruitment of salaried Employment Judges.
- As set out in the [minutes of the meeting held in October 2025](#), a recruitment exercise is underway to recruit 150 non-legal members across all regions in England and Wales. Interviews were taking place in April and May 2026. A second campaign to recruit a further 150 may be cancelled if the first yields sufficient appointable candidates.

2.3 Sitting Days

In response to a question raised in advance of the meeting, the President confirmed that 33,900 sitting days had been allocated to the Employment Tribunals in 2025-26. The President also confirmed that approximately 1,000 further days had been allocated during the financial year. In previous years, the allocation had been as follows:

- 2019-20: 27,000
- 2020-21: 30,000
- 2021-22: 35,000 (adjusted in year to 37,500)
- 2022-23: 31,600 (adjusted in year to 33,600)
- 2023-24: 34,000
- 2024-25: 34,000 (adjusted in year to 35,640)
- 2025-26: 33,900 (adjusted in year to 34,907)

The President also confirmed, in response to the same question, that the virtual region continues to provide about 2,000 sitting days annually: 1,500 days dedicated to London and the South East of England. The balance is taken by other regions when needing short notice cover. The virtual region days come out of the regional allocation; they are not additional.

In response to another question, it was explained that the sitting day allocation for 2026-27 was yet to be confirmed. As at the date of the NUG meeting, it was the subject of ongoing discussion. **[Post-meeting update:** HMCTS has since confirmed the 2026-27 allocation as 32,590 days. An additional 2,000 days will be funded in-year by the Department for Business and Trade, producing an overall total of 34,590 days.]

2.4 Performance

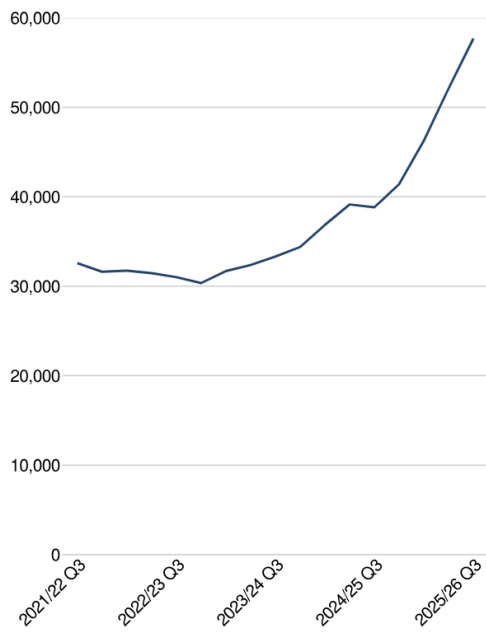
The President referred to the latest data published by HMCTS on the morning of the NUG meeting. It can be found at [this link](#) and covers Q3 of the 2025-26 financial year (October to December 2025). The key points of the statistician’s analysis in respect of the Employment Tribunals can be read [here](#). The President had done a “deep dive” into the statistics at the NUG meeting on 6 November 2023 (see the associated minutes at [this link](#)) and promised a further “deep dive” for the published minutes of this meeting.

The statistics show a sharp rise in single claim receipts since 2024. The figures must be read carefully as they straddle the period when the ET’s moved to a new case management system. The following table (limited to single claims, and extracted from the last seven years of quarterly statistics), will be of interest:

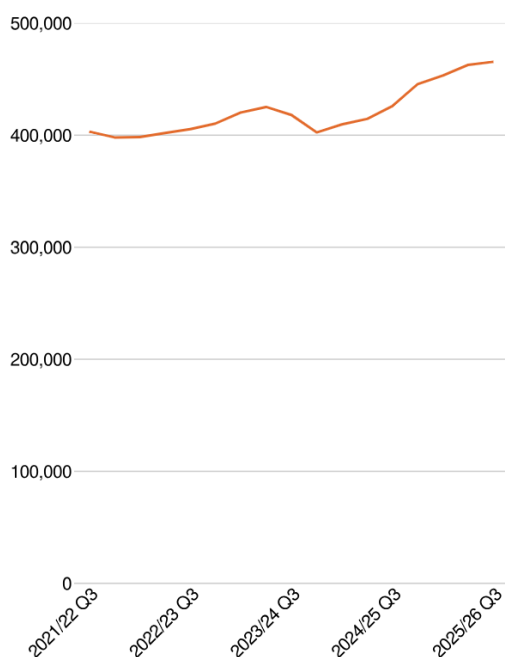
	Receipts	Disposals	Mean age at disposal (measured in weeks)	Outstanding
Q1 2019-20	9,700	9,000	33	
Q2 2019-20	12,000	6,000	34	33,000
Q3 2019-20	11,000	7,100	36	33,000
Q4 2019-20	9,500	8,500	33	32,000
Q1 2020-21	10,000	4,500	32	37,000
Q2 2020-21	11,000	5,700	39	40,000
Q3 2020-21	13,200	7,300	48	44,000
Q4 2020-21	9,100	7,300	43	44,000
Q1 2021-22				
Q2 2021-22				
Q3 2021-22				
Q4 2021-22	8,100	7,000		42,000
Q1 2022-23	7,700	6,500		43,000
Q2 2022-23	7,800	7,100		45,000
Q3 2022-23	7,600	7,300		45,000
Q4 2022-23	8,100	9,000		37,000
Q1 2023-24	7,900	7,100		35,000
Q2 2023-24	7,400	7,700		32,000
Q3 2023-24	8,100	7,100		33,000
Q4 2023-24	8,800	9,100		33,000
Q1 2024-25	10,000	7,000		37,000
Q2 2024-25	10,000	7,200		40,000
Q3 2024-25	11,000	9,600		43,000
Q4 2024-25	11,000	8,200		45,000
Q1 2025-26				
Q2 2025-26	12,000	5,900		52,000
Q3 2025-26	13,000	5,700		58,000

It should be noted that the figures are sometimes corrected retrospectively when multiple claims are reclassified as single claims. The grey cells are for periods when HMCTS produced no published data. HMCTS has published no data on timeliness (that is, the mean age of a case at the point of its disposal, measured in weeks) since Q4 of 2020-21. This data is expected to reappear later in the 2026-27 financial year.

The President shared the graph below, drawn from the statistician's report, showing the rising outstanding stock of single claims across Great Britain:



The outstanding number of claimants within multiple (or group) claims, covering mass litigation on topics such as equal pay, looks rather more stable:



The President then referred to a point he made at the previous national user group meeting, which concerns the changing mix of single receipts. The published data has traditionally

included a jurisdictional breakdown, meaning a division, by quarter and by HMCTS region, of the types of claim being brought. This data is found at Tab "Table_ET_1_R" of the Main Tables and Tab C_2_R of the Annex C Tables. The data was not available during the period of migration from the old case management system to the new one. However, properly analysed, the data offers meaningful insights into ET trends.

To supplement the minutes, the President now provides the following information drawn from the published statistics, especially the historic data in the downloadable spreadsheets at [this link](#), which dates back to 2007-08. Four years have been chosen randomly to illustrate the change in mix of receipts.

2010-11 (pre fees)

Data for 2010-11 can be extracted from line 8 of Tab ET_1 of the Main Table for [Q4 2018-19](#) and from other published tables. It is best to ignore the claims identified as Working Time Directive and Equal Pay as would very likely have been multiple rather than single claims. The "others" category is also ignored.

Short track (all money claims): 134,322, comprising:

- Deductions from wages 71,725
- Breach of contract 34,609
- Redundancy pay 16,012
- Failure to inform/consult redundancy 7,436
- Written statement of terms 4,016
- NMW 524

Standard track: 53,587, comprising:

- Unfair dismissal 47,884
- Failure to inform/consult TUPE 1,866
- Written reasons for dismissal 929
- Written pay statement 1,333
- Part-time workers 1,575

Open track: 42,742, comprising:

- Sex discrimination 18,258
- Disability discrimination 7,241
- Race discrimination 4,992
- Pregnancy detriment/dismissal 1,866
- Religion/belief discrimination 878
- Sexual orientation discrimination 638
- Age discrimination 6,821
- Public interest disclosure 2,048

Others: 3,480

Total (excluding multiples): 230,651

Short track = 58%

Standard track = 23%

Open track = 19%

Confusion may arise because the total give above (230,651) far outstrips the number of single claims. This reflects the fact that a single claim may include several jurisdictional complaints; each is counted for this purpose.

2018-19 (post fees/pre pandemic)

Data for 2018-19 can also be extracted from line 16 of Tab ET_1 of the Main Table for [Q4 2018-19](#) and from other published tables. Again, it is best to ignore the claims identified as Working Time Directive and Equal Pay as would very likely have been multiple rather than single claims. "Others" are again ignored.

Short track (all money claims): 48,951, comprising:

- Deductions from wages 22,151
- Breach of contract 14,022
- Redundancy pay 5,478
- Failure to inform/consult redundancy 5,562
- Written statement of terms 1,392
- NMW 346

Standard track: 24,792, comprising:

- Unfair dismissal 21,251
- Failure to inform/consult TUPE 780
- Written reasons for dismissal 223
- Written pay statement 2,239
- Part-time workers 299

Open track: 27,643, comprising:

- Sex discrimination 9,336
- Disability discrimination 6,821
- Race discrimination 3,522
- Pregnancy detriment/dismissal 1,781
- Religion/belief discrimination 737
- Sexual orientation discrimination 451
- Age discrimination 2,457
- Public interest disclosure 2,538

Total (excluding multiples): 101,386

Short track = 48%

Standard track = 24%

Open track = 27%

2020-21 (pandemic)

Data for 2020-21 can be extracted from line 18 of Tab ET_1 of the Main Table for [Q4 2021-22](#). This has been chosen as it confirms that this was the last full-year data before the ETs underwent HMCTS reform and moved to a new case management platform. Again, as well as "others", Working Time Directive and Equal Pay claims have been ignored as these would very likely have been multiple rather than single claims.

Short track (all money claims): 47,560, comprising:

- Deductions from wages 17,816
- Breach of contract 14,836
- Redundancy pay 6,453
- Failure to inform/consult redundancy 7,072
- Written statement of terms 1,114
- NMW 269

Standard track: 28,948, comprising:

- Unfair dismissal 23,904
- Failure to inform/consult TUPE 1,035
- Written reasons for dismissal 356
- Written pay statement 887
- Part-time workers 2,766

Open track: 37,847, comprising:

- Sex discrimination 5,172
- Disability discrimination 7,430
- Race discrimination 4,175
- Pregnancy detriment/dismissal 1,435
- Religion/belief discrimination 733
- Sexual orientation discrimination 438
- Age discrimination 15,336
- Public interest disclosure 3,128

Total (excluding multiples): 114,355

Short track = 42%

Standard track = 25%

Open track = 33%

2025-26 (post pandemic/first three quarters only)

Data for 2025-26 can be extracted from aggregating lines 18-20 of Tab ET_1_R of the Main Table for [Q3 2025-26](#), being the most recent data available. There is no need to ignore equal pay and working time claims, as the data explicitly concerns single claims only (and, in any event, there are few of them). The 2025-26 data will in due course be the first full-year data drawn entirely from cases entering the new digital platform since the ETs underwent HMCTS reform.

Short track (all money claims): 20,670, comprising:

- Deductions from wages 7,683
- Breach of contract 6,042
- Redundancy pay 1,845
- Failure to inform/consult redundancy 207
- Written statement of terms 187
- NMW 33
- WTR 4,763

Standard track: 15,242 comprising:

- Unfair dismissal 14,874
- Failure to inform/consult TUPE 98
- Written reasons for dismissal 21
- Written pay statement 183
- Part-time workers 66

Open track: 26,120, comprising:

- Sex discrimination 3,460
- Disability discrimination 9,175
- Race discrimination 4,099
- Pregnancy detriment/dismissal 1,203
- Religion/belief discrimination 1,059
- Sexual orientation discrimination 527
- Age discrimination 1,819
- Other protected characteristics 612
- Equal pay 67
- Public interest disclosure 4,099

Total (excluding multiples): 62,032

Short track = 33%

Standard track = 25%

Open track = 42%

The Annex tables permit an identical analysis for each HMCTS region. A further interesting trend revealed by the published statistics is that about half of all discrimination claims are now disability discrimination claims. It is, by far, the most litigated protected characteristic.

The published data concerns reform cases only and for Q1, Q2 and Q3. Also, about one quarter of cases are still entering the system on the legacy platform. They are recorded separately. As the two databases are amalgamated, it feeds a disproportionate number of open track cases into the system.

There is of course significant double counting in the above, as many claims will raise multiple allegations. If a claim included allegations of unpaid wages, unfair dismissal and sex discrimination, it would be classified as open track. If a claim included complaints of unpaid wages and unfair dismissal, it would be classified as standard track. If a claim were limited to unpaid wages, it would be classified as short track.

The Main Tables do not provide that classification, which is a more meaningful description of the ET caseload. The President has permission from HMCTS to share the information that the full-year 2025-26 data was presently showing the following for receipts:

Short track	8,547	17%
Standard track	10,596	21%
Open track	30,374	61%
Unallocated	578	1%
Total	50,095	100%

In the three London regions, the proportion of new single claims received that are open track rises to 66%. In London Central, it is 69%. The other notable point is that, overall, the level of 2025-26 receipts are almost 70% higher than they were only a few years ago.

Summary

Drawing the threads together, the President made the following observations, which he believed were supported by the data:

- Receipts of single claims were currently at their highest level since the pandemic “shock” of 2020.
- There was no obvious explanation for why that should be so. The traditional explanation for a growth in receipts, being an economic downturn (reflecting the ET’s historically countercyclical profile), was not at all apparent. One suggestion sometimes made was that more individuals seek to enforce their rights when those rights (or an expansion in those rights) featured more in the news.
- The increase in receipts appeared to be sustained over 2024-25 and 2025-26. It was continuing to rise.
- Of even more impact was the changing case mix. 15-20 years ago, open track claims represented, as a proportion, about 20-25% of all single claims received. That figure has risen steadily in the 2010s, and with unexpected rapidity in the last 2-3 years. That proportion was now 60%. It was closer to 70% in London.
- Open track cases are much more complicated. They take longer to manage to a hearing, often involving more than one preliminary hearing. The final hearing itself lasts considerably longer. Although the data was not captured, the President’s view was that hearings of open track cases were also extending in length.
- Anecdotally, the increased use of AI seemed to be at least a partial cause of claims of increased complexity. For the moment, it was still relatively easy to spot the use of AI in a document. The shared view of judges was that AI was likely behind an increase in the complexity of claims, applications for reconsideration and applications for interim relief, as well as inflated schedules of loss.
- The pandemic “shock” in 2020 was a poor guide to what seemed to be happening now. It had resulted in an increase in short track claims as claimants challenged the pay consequences of furlough arrangements. By contrast, the recent increase in receipts has placed much more pressure on the ET system because it is heavily weighted towards complex open track cases.
- Because complex cases take longer to manage to a hearing, they extend waiting times nationally. Because the hearings last longer, they reduce the rate at which the system can dispose of them. The inevitable consequence of increased receipts and reduced disposals was the sharp rise in the outstanding stock of single claims now being witnessed. This would soon breach 60,000 and would continue rising.
- The biggest challenge was in London and the South East. Combined, this part of GB received half of all ET cases. As noted earlier in the meeting, it had too few salaried judges to cope that workload.

The President emphasised that judges and staff were working as hard as they could across all corners of England and Wales to cope with the pressures on the system. He recognised users’ frustrations, but said it was unhelpful for there to be complaints from the user community that the system was “broken” when the causes of the current pressures were nuanced. While the system certainly did need more resources – in common with all parts of the justice system – simply asking for more sitting days was not sufficient. Increasing the judicial work conducted by video would help, as would renewed focus on ADR (especially Dispute Resolution Appointments).

These measures might mitigate the problem but would not solve it. It was incumbent on all stakeholders to look for innovative responses to these challenges. The President referred in this regard to the efforts of the Dispute Resolution Taskforce co-sponsored by DBT and MoJ,

which began meeting at the end of 2025. He also mentioned some interesting proposals soon to emanate from three Cambridge academics (Sarah Fraser Butlin KC, Professor Catherine Barnard and Dr Maayan Menashe) in a forthcoming book supported financially by the Employment Lawyers' Association. The President said his judicial office constitutionally precluded him from making policy recommendations but he urged NUG members to read the book carefully when it was launched at the ELA annual conference in May 2026. He confirmed that, with permission from the Senior President of Tribunals, he, Susan Walker and some REJs had met the research team during 2025.

2.5 Waiting times

As already noted, published data on timeliness from HMCTS had ceased in Q4 of 2020-21. It was hoped that it would become available in the 2026-27 financial year, at least in respect of cases entering the new digital portal.

In the meantime, the President said he would provide his usual update in the minutes of the NUG meeting. In broad terms, as at the end of March 2026, the position is as follows:

- For 1 day hearings, most of the regions were listing these into the second half of 2026. London Central, London East and Wales could still hear these in the first half of 2026.
- For 2 day hearings, the majority of regions could hear them in 2026. The North West and South East regions were listing them in the first half of 2027, whereas London Central were listing into the second half of 2027. The longest waiting times for these hearings are in London South, listing into the first half of 2028.
- For longer hearings of around 5 days' duration, the picture is mixed. The shortest waiting times are in Wales, which can still list these cases in the first half of 2026. The longest waiting times are in the South East, who are listing these cases into the second half of 2028, and London South, who are listing into the first half of 2029. All other regions could hear these cases in 2027.
- For hearings longer than 10 days, the picture is also mixed. London East and Wales can still list such cases in 2026-27. The North East, North West, Midlands West and South West regions are listing these cases in the first half of 2027. The longest waiting times are in the Midlands East and South East regions (listing into the second half of 2028) and London South (listing into 2029).

Supporting what the President said earlier, the longer waiting times in London, and especially London South, were caused by many factors, including the increase in receipts, a higher proportion of open track claims, and difficulties recruiting salaried judges in the numbers needed.

However, as new judges came on stream, efforts would be made to investigate whether cases already listed in 2028 and 2029 could be brought forward.

2.6 “How to” videos

Onto more positive news, the President reminded NUG members that, in late 2025, he had [launched the ET 'How To' videos](#).

These videos, written and produced by Employment Judges, are designed to help litigants in person with a variety of topics from “How to fill in a claim form” (which had been viewed nearly 2,500 times) to “How to prepare for a case management preliminary hearing”. Further videos are planned on other topics in future. The videos had been positively reviewed in the [Law Society Gazette](#).

2.7 Other judicial policy matters

In response to a request for an update on the Presidential Practice Directions on Mode of Hearings and Open Justice, the President explained that the versions circulated in draft to member of the national user group in 2024 were still pending, and awaiting a review by the Transparency and Open Justice Board of all open justice provisions across the various jurisdictions.

The President shared other plans underway in respect of open justice: (1) to suggest to the Tribunal Procedure Committee a rule change by which preliminary hearings held for case management purposes ought to default to public, not private; and (2) an attempt to codify the ways in which members of the press and public can access documents from the Tribunal under [Cape v Dring](#) principles.

The President also confirmed that plans remain in place to promulgate the Practice Direction and Presidential Guidance on the Detailed Assessment of Costs. They are to be revised slightly in view of recent training given to judges on the topic.

The President also explained that the [Courts and Tribunals Bill](#) proposes, among other matters, a change whereby the Lady Chief Justice will become the senior leadership judge for all the tribunals judiciary, with the Senior President of Tribunals becoming a head of division alongside the existing heads of division (President of the King's Bench Division, Master of the Rolls, President of the Family Division, and Chancellor of the High Court).

In response to a query about whether large organisations can provide the Tribunal with a single address to which all correspondence can be sent, the President confirmed that the practice set out in FAQ 20 of the document found [here](#) remains in effect. The standard operating procedures used by HMCTS indicate that a claim form must be served on the respondent at the address provided by the claimant in the ET1 claim form. However, the Tribunal can agree to send a [copy](#) of the service papers to a dedicated email address provided by a large employer which routinely receives ET claims.

3. Judge Susan Walker – Employment Tribunals Scotland

Judge Susan Walker KC (Hon), President of the Employment Tribunals in Scotland, provided an update in respect of the Employment Tribunals in Scotland. They have recruited two new salaried judges and five new fee paid judges. They will begin sitting following their training later this month.

Judge Walker said that the ETs in Scotland were experiencing a similar increase in single claims receipts as E&W. The increase in the open caseload, just as it was south of the border, had been disproportionately in open track claims (and, within that, disability discrimination claims). She also noted that there was an increasing number of users with mental health conditions or who were neurodivergent and sought longer time to prepare and present their cases. This created challenges for all users in navigating the system and placed the system itself under pressure. She also agreed that the Tribunal was experiencing a high volume of correspondence from predominantly unrepresented users, often using AI.

Judge Walker shared that the ETs in Scotland were disposing of all cases much more quickly than in E&W. She emphasised that this was not due to a difference in judicial policy or strategy; it simply reflected the fact that, north of the border, the ET jurisdiction had been able to retain staff in adequate numbers and had no difficulty in recruiting new judges.

Judge Walker explained that she was reviewing the current practice of listing every open track claim for a case management preliminary hearing due to resource pressure.

4. Judge Andrew Freer – London Central Region

Judge Freer confirmed that the London Central Region had moved into the new premises on Newgate Street on 23 February 2026, shared with other tribunal jurisdictions. The venue comprises 17 formal hearing rooms and 11 informal hearing rooms, which all contain screens, remote participation equipment and an improved layout. These new premises will enable a review of current listing practices and efforts to reduce the backlog. The venue offers modern facilities for users and a convenient location near the Old Bailey and St Paul's Cathedral. Judge Freer will be seeking feedback from users on suggested changes or improvements to listing strategy at an upcoming regional user group meeting.

Caspar Glyn KC shared feedback from a number of ELA members that, in response to applications made via the online portal in respect of London Central cases, they often received a response that the application could not be considered until two weeks before the hearing. Judge Freer said he would investigate this; he did not consider that it reflected standard practice in the region.

5. Employment Lawyers Association update – Caspar Glyn KC

It had been suggested at a previous NUG meeting that members would welcome learning more about its organisational members. The Employment Lawyers' Association (ELA) had agreed to go first. Caspar Glyn KC, current ELA chair, provided the briefing.

ELA now has approximately 7,300 members, having grown considerably in the last two years. In the last five months, more than 26 training sessions, including conferences, have been delivered to its members. Presidents Walker and Clarke had agreed to speak at the ELA conference in May alongside Lord Fairley, the EAT President.

ELA continues to respond to government consultations. They have responded to 15 different consultations over the past five months, with a further five responses planned.

Caspar confirmed that ELA plans to publish an important report on dispute resolution at its May conference, where it has provided financial support. He urged people to read the report carefully when it appeared. He said that ELA encouraged parties and stakeholders to consider proactive solutions for improvement where possible.

Caspar thanked colleagues in the meeting, including DBT, HMCTS, Acas and the judiciary, for their engagement. He praised those that work in the system, recognising that they are constrained by the resources given.

Caspar said it was anticipated that the new ELA chair would be announced shortly.

6. HMCTS update – Mark Lewis

Mark Lewis, Employment Tribunals Service Manager, provided an update on behalf of HMCTS.

HMCTS were nearing the end of the process to agree the sitting day budget for the 2026-27 financial year. An early agreement would assist both HMCTS and the judiciary in respect of listing and capacity considerations. [Update now given at section 2.3 above.]

HMCTS had recruited a new project team to support DBT, MoJ and the judiciary in respect of the implementation and impact of the Employment Rights Act 2025. Mark noted that the President had also convened a new Efficiency and Best Practice Working Group, jointly attended by HMCTS and the judiciary, and chaired by REJ Pirani, to consider sharing best practices and streamlining the new processes introduced by the reform programme.

Mark Lewis confirmed that the “Notice of Change” process had now been updated, further to feedback received at the [joint meeting of the national user groups in May 2025](#). Further updates were planned, including functionality for litigants in person to access the online platform if they began their claim represented and their representative subsequently comes off record.

Mark Lewis shared planned updates and improvements, including:

- A digital process for multiple or “group” claims. This was being done alongside the HMCTS user-centred design teams, who had been working with stakeholders including members of the public. It was currently anticipated that access would be released in three phases.
- The functionality for the ET and Acas systems to speak to each other. HMCTS had completed work on their side and were now waiting for Acas to develop their side of the system. It was anticipated that this feature would go live later this year.
- HMCTS were also considering how AI tools might be used to assist in streamlining or improving administrative working methods. This was in its very early stages and the ET were awaiting testing in other jurisdictions before exploring the matter further.

HMCTS was also undertaking a data quality audit to ensure that the internal processes in place resulted in accurate data. Work was also ongoing to combine the digital case information on the “legacy” system and the new “reform” system, so that a single platform and processes could be used.

Mark Lewis confirmed that all telephony across ET regions in England and Wales were now centralised at the Courts and Tribunals Service Centre in Loughborough. This process should result in a more streamlined telephone answering service and improved response and waiting times. The President said that he and the REJs would be visiting the team in Loughborough later in March.

Some NUG members reported long waiting times in respect of calls to the new centralised telephone number. It was noted that about 13,000 telephone calls entered the system in February 2026, with just over 11,000 being answered (a 14% abandonment rate), with an average wait to answer time that month of about seven minutes. Mark said that, if users were experiencing significantly longer waiting times for calls to be answered, he would investigate the position.

7. Department for Business and Trade – Rose Marshall & Richard Boyd

Rose Marshall provided an update on behalf of the Make Work Pay delivery team at DBT. The team have been focused on getting businesses and workers ready for the key changes taking place in April 2026, including to statutory sick pay and day-one family leave.

In February 2026, the team launched a communication campaign which included a dedicated [webpage](#) setting out practical guidance, including a [timeline](#). The team plan to add content in respect of unfair dismissal soon.

The team are working with Acas to amplify the message and signpost users to these communications. Plans are underway to ramp up communications throughout 2026 and 2027 as the next raft of changes are implemented.

Richard Boyd confirmed that DBT continues to work closely with both the Ministry of Justice and wider stakeholders as part of the Dispute Resolution Taskforce, to look at how the ET system is equipped with what it needs to function efficiently. The team recognised the challenges posed by AI and was currently analysing the drivers behind the rising number of open track cases, to support ongoing policy development. Richard Boyd confirmed that their focus was not just on Acas and the Employment Tribunals, but also the processes before Acas and after the Tribunal (such as enforcement).

Richard Boyd welcomed, on behalf of DBT, feedback and suggestions from users, and encouraged them to contact him and his team.

8. MoJ update – Amy Brown

Amy Brown, Senior Policy Advisor, provided an update on behalf of the Ministry of Justice. The team are currently focusing on three key pieces of work:

- Employment Rights Act 2025 readiness. The team was looking at what support is required for the procedural changes coming into force this year.
- Business as usual work.
- System reform work, under the Dispute Resolution Taskforce. This work was also taking account of the Cambridge research referenced by the President and Caspar Glyn KC earlier.

Amy said that the team had recently completed some user research into the cause behind the rise in discrimination claims. This had provided some evidence to support suggestions for improvement.

9. Acas update – Tony Lowe

Tony Lowe provided the following written update on behalf of Acas:

From April 2025 to Feb 2026, Acas has received over 135,000 Early Conciliation (EC) notifications. This is already substantially exceeding the total received last year and the service is on course to handle in the region of 150,000 cases this year, the highest number on record by a significant margin. This has lengthened the amount of time it takes for us to allocate cases to conciliators and the allocation queue is current at around 5 weeks. The rate of increase in demand is showing no signs of flattening and in February more than 3,600 cases were received in a single week. The implementation of new rights under the Employment Rights Act 2025 is expected to create a further increase in demand of 15-20%. Employment Tribunal case receipts are also up year on year, but from April-Feb the increase is much smaller (35k in 24-25 and 36k in 25-26). We appreciate the Employment Tribunal continue to work through backlogs and we expect this to increase further as this work continues.

The increase in cases is largely due to increases in Open Track cases. The top three jurisdictions are Unfair Dismissal (37k), Wages (28k) and Disability Discrimination (24k).

We have completed a large amount of recruitment in the last 12 months to increase our capacity to handle the increased number of cases. Alongside this we have done or have planned:

- *Trialing new ways of working to make early contact with claimants and respondents and assess engagement and scope for settlement prior to case allocation, alongside improving case triage.*
- *Trialing new ways of working to encourage engagement in conciliation.*
- *Revised digital guidance to give clearer advice on why, when, and how best to use statutory dispute resolution services.*
- *Began to develop and test AI tools to streamline and improve our resolution services, such as how we best identify cases for triage.*
- *Reviewing the EC notification form to explore opportunities to improve content and test new approaches.*

The above approaches, alongside the commitment and hard work of our conciliators and managers has meant that service performance has remained steady, despite facing unprecedented demand for our services. Year to date we are achieving our KPI for EC cases to result in a settlement or other positive outcome (36%), and we are exceeding our KPI to positively resolve ET cases (79% against a KPI of 77%).

10. Any other business

The President said that the next meeting of the national user group would be an in-person meeting at the new London Tribunals Centre. His Private Office will shortly circulate a poll to NUG members to identify a suitable date, with the aim of also holding a tour of the building.